



STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

TESTIMONY PRESENTED TO THE LABOR AND PUBLIC EMPLOYEES COMMITTEE

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Raised House Bill No. 6879

AN ACT CONCERNING HAZARDOUS DUTY AND CERTAIN DEPARTMENT OF CORRECTIONS STAFF

Senator Gomes, Representative Tercyak and distinguished members of the Labor and Public Employees Committee, thank you for the opportunity to offer testimony on House Bill No. 6879, An Act Concerning Hazardous Duty and Certain Department of Corrections Staff.

This Bill seeks to extend hazardous duty retirement benefits to clerical workers at correctional institutions. Retirement benefits are a subject of coalition bargaining. Unpleasant duty pay is a negotiated benefit in several collective bargaining agreements, including the Clerical (NP-3) Collective bargaining agreement.

Unpleasant duty pay is a wage benefit which has been negotiated with various bargaining units and is addressed in the individual collective bargaining agreements. Unpleasant duty pay has become recognized by the negotiating parties as form of compensation and it is not available to employees who are eligible for hazardous duty retirement benefits. Unpleasant duty pay results from exposure to conditions that are not desirable such as working position, odors exposed to and/or contacts with personnel or persons that may be unpleasant but not dangerous or hazardous. The unpleasant term has been used simply because it describes the situation.

Unpleasant duty stipends have been provided as part of wages and are therefore incorporated in the wage base used to calculate pension benefits. These unpleasant duty situations are clearly not hazardous duty.

The State Employees Retirement System is the subject of collective bargaining and the issue of Hazardous duty retirement has been negotiated and arbitrated between the State and the State Employees Bargaining Agent Coalition ("SEBAC").

Hazardous duty pension has been provided to a number of classifications because of exposure and interaction. Police, Fire and Correctional custodial work are the traditional examples for this designation. The conditions faced in these classifications have traditionally been standards applied to gain the hazardous duty designation. Under the pension grievance mechanism employees and Unions have the ability to claim hazardous duty for either individual or classifications. These disputes are subject to arbitration where a binding award is issued. This mechanism continues to be applied and continues to work in resolution of disputes over the question of hazardous duty eligibility.

Employees who work in the Department of Corrections have the negotiation and arbitration process available to them. It is through this process that the standards are uniformly applied thereby avoiding disparate treatment and substantial cost to the State.

Based upon the foregoing, this Bill should not be passed.